

1 DAVID L. LONG #AR-2325
2 C.S.P. - CORCORAN - 4B-2L-41
3 P.O. BOX 3481
4 CORCORAN, CA. 93212
5 IN - PRO - PER

6
7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9

10 DAVID LONG,
11 PLAINTIFF

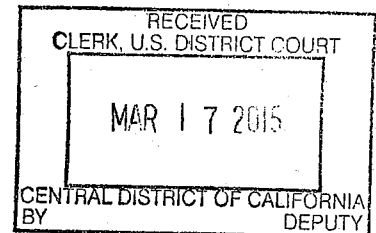
CASE NO 5:15-CV-00536 RT(KK)

12 v.

13
14 NORMA ALEJO, ET. AL.
15 DEFENDANT(S)

PLAINTIFF'S COMPLAINT FOR
DAMAGES UNDER [42 U.S.C.
§1983 AND 1985] WITH
REQUEST FOR JURY TRIAL

16
17
18 INTRODUCTION
19



20 1. THIS IS A CIVIL RIGHTS ACTION COMPLAINT FOR DAMAGES ARISING
21 UNDER THE CONSTITUTION OF THE UNITED STATES. PARTICULARLY, THE
22 FIRST, FOURTH, EIGHTH, AND FOURTEENTH AMENDMENT TO THE CON-
23 STITUTION OF THE UNITED STATES, 42 U.S.C. §1983 AND 1985.
24 ALLEGING THE VIOLATION OF PLAINTIFF'S CONSTITUTIONAL, CIVIL AND
25 HUMAN RIGHTS. AFTER DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE
26 AND GONZALES CONSPIRED TO ARREST PLAINTIFF FOR (1) MURDER AND
27 (2) ATTEMPTED ROBBERY OF ALLEGED VICTIM PINEDA, IN THE COUNTY OF
28 SAN BERNARDINO, CASE NO: FVA 1100219. THIS FEDERAL CIVIL RIGHTS

1 CLAIM ALLEGING (1) FALSE ARREST FOR MURDER AND ATTEMPTED ROBBERY.
2 PLAINTIFF LONG, ALLEGES THAT DEFENDANTS ALEJO, DELGADO-DRAMAS,
3 HARE, AND GONZALES VIOLATED HIS FOURTH AND EIGHTH AMENDMENT
4 RIGHTS BY FAILING TO KEEP PLAINTIFF FREE FROM A FALSE ARREST.

5 PLAINTIFF ALLEGES THAT DEFENDANT ALEJO HAD FAILED TO
6 PROTECT PLAINTIFF FROM DEFENDANTS DELGADO - DRAMAS, HARE, AND
7 GONZALES FALSE ARREST FOR MURDER AND ATTEMPTED ROBBERY.

8 PLAINTIFF ALLEGES THAT DEFENDANTS DELGADO-DRAMAS, HARE,
9 AND GONZALES, DID AN ABSOLUTELY PATHETIC AND SUPERFICIAL JOB
10 INVESTIGATING THE ABOVE REFERENCED MURDER AND ATTEMPT
11 ROBBERY.

12 PLAINTIFF ALLEGES THAT DEFENDANT ALEJO, DID PARTICIPATE
13 IN DEFENDANTS DELGADO-DRAMAS, HARE, AND GONZALES, FALSE
14 ARREST THIS CONSTITUTES A MALICIOUS PROSECUTION.

15 AT ALL TIMES RELEVANT MENTIONED, THE JURY ACQUITTED
16 PLAINTIFF OF THE MURDER AND ATTEMPTED ROBBERY COUNTS.
17

18 JURISDICTION

19
20 2. THE JURISDICTION OF THIS COURT IS INVOKED PURSUANT TO 28
21 U.S.C. § 1343 (c), WHICH GIVES THIS COURT JURISDICTION OVER
22 MATTERS CONCERNING THE DEPRIVATION OF CONSTITUTIONAL AND
23 CIVIL RIGHTS GUARANTEED BY U.S.C. §§ 1983 AND 1985.

24 PARTIES

25
26
27 3. PLAINTIFF DAVID LONG, CDCR NO. #AR-2325 IS A MEXICAN MALE
28 ADULT, AND PRESENTLY BEING DETAINED AT CORCORAN STATE PRISON,

1 P.O. BOX 3481, CORCORAN, CALIFORNIA 93212;

2 4. DEFENDANT NORMA ALEJO IS A DEPUTY DISTRICT ATTORNEY FOR
3 THE COUNTY OF SAN BERNARDINO, SHE IS SUED IN HER OWN INDIVID-
4 UAL CAPACITY,

5 5. DEFENDANT DANIEL DELGADO-ORAMAS, IS A HOMICIDE DETECTIVE,
6 AND ASSIGNED TO THE FONTANA POLICE DEPARTMENT, HE IS SUED IN
7 HIS OWN INDIVIDUAL CAPACITY,

8 6. DEFENDANT SHAWN HARE, IS A HOMICIDE DETECTIVE, AND ASSIGNED
9 TO THE FONTANA POLICE DEPARTMENT, HE IS SUED IN HIS OWN INDIVID-
10 UAL CAPACITY,

11 7. DEFENDANT MARC GONZALES, IS A HOMICIDE DETECTIVE, AND ASSIGNED
12 TO THE FONTANA POLICE DEPARTMENT, HE IS SUED IN HIS OWN INDIVIDUAL
13 CAPACITY,

14 8. DOES ONE(1) THROUGH (10), EACH DEFENDANT(S) ARE SUED IN HIS
15 OR HER OFFICIAL AND INDIVIDUAL CAPACITY FOR THEIR FAILURE TO
16 TRAIN AND SUPERVISE DEFENDANTS, AND THEY ARE IN SOME MANNER
17 RESPONSIBLE FOR THE ACTS OR OMISSIONS ALLEGED,

18 9. AT ALL TIMES MENTIONED HEREIN EACH, AND ALL, DEFENDANTS,
19 WERE ACTING UNDER THE COLOR OF STATE LAW.

20
21
22 STATEMENT OF FACTS

23
24 10. AT ALL TIMES RELEVANT MENTIONED, PLAINTIFF WAS CONFINED AT
25 THE WEST VALLEY DETENTION CENTER, ON A UNRELATED CRIME.

26 11. ON JANUARY 27, 2011, AT APPROXIMATELY 6:00 TO 7:00 AM. SUS-
27 PECT MONIQUE VARGAS AND HER FRIEND, SUSPECT NORA HERRERA,
28 WERE IN A TATTOO PARLOR IN FONTANA. THE TWO HAD NO

1 MONEY AND NO PLACE TO STAY FOR THE NIGHT, AND WERE
2 TRYING TO GET A MOTEL ROOM.

3 12. THE TWO APPROACHED A HISPANIC MALE, IDENTIFIED AS
4 CARLOS PINEDA WHO HAD RIDDEN TO THE PARLOR ON HIS BICYCLE,
5 AND OFFERED TO PERFORM SEXUAL FAVORS FOR HIM, THE THREE AGREED
6 THAT, IN EXCHANGE, PINEDA WOULD OBTAIN A ROOM, AND WALKED
7 TO THE VALLEY MOTEL, LOCATED ON VALLEY BOULEVARD IN FONTANA,
8 CALIFORNIA, WHERE PINEDA PAID FOR AND WAS GIVEN ROOM 215.

9 13. SUSPECT VARGAS ALSO REGISTERED IN THE ROOM, UNDER THE
10 NAME "MONIQUE LOPEZ," VARGAS ACCOMPANIED PINEDA TO THE ROOM
11 AND SUSPECT HERRERA JOINED THEM SOON AFTER.

12 14. WHEN THEY GOT TO THE ROOM, SUSPECT VARGAS TURNED ON THE
13 AIR CONDITIONER, WHICH WAS BROKEN.

14 15. APPROXIMATELY (15) MINUTES AFTER ARRIVING, VARGAS AND
15 PINEDA WENT TO THE LIQUOR STORE TO BUY PERSONAL HYGIENE
16 PRODUCTS, WHILE SUSPECT HERRERA STAYED IN THE ROOM, AFTER
17 THEY RETURNED TO THE ROOM, AND AFTER SUSPECTS VARGAS AND

18 HERRERA TOOK SHOWERS, THE THREE OF THEM BEGAN TALKING
19 ABOUT DRUGS, AND SUSPECT VARGAS GAVE PINEDA SOME CRYSTAL
20 METHAMPHETAMINE THAT SHE HAD BEEN CARRYING.

21 16. AFTER THEY SMOKED IT, THE AGREED THAT PINEDA WOULD BUY
22 SOME MORE METHAMPHETAMINE, SO SUSPECT CALLED A FRIEND, WHO
23 GAVE HIM SUSPECT PENIX'S NUMBER. SUSPECT VARGAS CALLED SUS-
24 PECT PENIX, WHO AGREED TO BRING \$50 OF DRUGS OVER TO THE
25 MOTEL ROOM, AND STATED THAT PLAINTIFF WOULD DRIVE HIM TO THE
26 MOTEL.

27 17. ACCORDING TO SUSPECT HERRERA, SHE HAD MET PLAINTIFF A
28 FEW WEEKS EARLIER, BUT DID NOT KNOW HE WAS COMING TO THE

1 MOTEL ROOM.

2 18. WHEN PLAINTIFF AND SUSPECT PENIX, WHO WAS WEARING A CAST
3 ON HIS RIGHT HAND, ARRIVED AT THE ROOM AND ASKED FOR MONEY,
4 PINEDA TOLD THEM THAT HE DID NOT HAVE ANY CASH ON HIM, SO
5 HE, PENIX, AND PLAINTIFF WENT TO AN AUTOMATED TELLER MACHINE (ATM)

6 19. AFTER THEY RETURNED, APPROXIMATELY FIVE TO TEN MINUTES LATER,
7 PINEDA GAVE PLAINTIFF THE MONEY AND PLAINTIFF GAVE PINEDA THE DRUGS.

8 20. SUSPECT VARGAS THEN ASKED PLAINTIFF IF HE COULD GIVE HER
9 A RIDE TO GET A PIPE IN WHICH TO SMOKE THE METHAMPH-
10 ETAMINE, AND THE TWO OF THEM LEFT FOR A GAS STATION AND
11 CONVENIENCE STORE IN A WHITE TRUCK.

12 21. ON THE WAY, SUSPECT VARGAS, STOPPED AT THE MOTEL OFFICE AND
13 SPOKE ABOUT THE AIR CONDITIONER TO THE MANAGER, WHO AGREED
14 TO SWITCH THEIR ROOMS.

15 22. AFTER SUSPECT VARGAS AND PLAINTIFF RETURNED TO THE ROOM,
16 THEY, SUSPECT PENIX, SUSPECT HERRERA AND PINEDA BEGAN SMO-
17 KING METHAMPHETAMINE AND WATCHING PORNOGRAPHY OF THE TELE-
18 VISION.

19 23. PLAINTIFF GOT UP AND STATED THAT HE NEEDED TO GO DROP OFF
20 SOME DRUGS, SO HE AND SUSPECT HERRERA LEFT THE ROOM.

21 24. ACCORDING TO SUSPECT HERRERA, SHE AND PLAINTIFF WENT TO
22 A HOUSE ON CYPRESS IN FONTANA, WHERE THEY PICKED UP AN UNI-
23 IDENTIFIED MALE INDIVIDUAL, THEN WENT WITH HIM TO THE SKY
24 VIEW MOTEL, LOCATED ON VALLEY AND PALMETTO, APPROXIMATELY A
25 MILE OR TWO FROM THE VALLEY MOTEL TO DROP HIM OFF.

26 25. WHILE THERE, SEVERAL POLICE ARRIVED AND ARRESTED PLAINTIFF,
27 ON OTHER CRIMINAL CHARGES, NOT RELATED TO MR. PINEDA,

28 26. AS PLAINTIFF AND SUSPECT HERRERA, WERE BEING STOPPED,

1 PLAINTIFF TOLD SUSPECT HERRERA THAT THE CAR WAS ALLEGEDLY
2 STOLEN, AND TRIED TO GIVE A KNIFE TO HER, WHO INSTEAD PLACED
3 IT UNDER THE SEAT OF THE TRUCK.

4 27. IN ADDITION, FOLLOWING PLAINTIFF'S ARREST, POLICE OBSERV-
5 ED SEVERAL CALLS ON PLAINTIFF'S CELL PHONE, WITH SUSPECT PENIX'S
6 NAME ON THE CALLER I.D.

7 28. SUSPECT HERRERA, REMAINED AT THE MOTEL FOR ABOUT AN HOUR
8 TO AN HOUR AND A HALF, THEN STARTED WALKING BACK TO THE
9 VALLEY MOTEL, WHERE SHE SAW SUSPECTS VARGAS AND PENIX,

10 29. WHOM SUSPECT HERRERA DESCRIBED AS "WORRIED" AND "SCARED,"
11 RUNNING TOWARD THEM.

12 30. BEFORE PLAINTIFF LEFT, SUSPECT VARGAS ASKED PINEDA IF
13 SUSPECT PENIX COULD STAY, AND PINEDA SAID IT WAS FINE.

14 31. PRIOR TO LEAVING THE ROOM, AND WHILE PINEDA WAS TAKING
15 A SHOWER, SUSPECT HERRERA SAW SUSPECT PENIX DIGGING THROUGH
16 PINEDA'S BAG AND PACING AND WIPING DOWN A CHAIR WITH HIS
17 BANDANA, WHICH SUSPECT HERRERA, THOUGHT WAS UNUSUAL.

18 32. SUSPECT PENIX ALSO TOLD SUSPECT HERRERA TO UNPLUG THE
19 PHONE, AND SUSPECT HERRERA COMPLIED.

20 33. SUSPECT PENIX ALSO GOT ONTO PINEDA'S BRIEF AND TOLD SUS-
21 PECT HERRERA THAT IT WAS "COOL" AND THAT HE WAS GOING TO
22 TAKE IT.

23 34. NEITHER SUSPECT'S HERRERA NOR VARGAS EVER HEARD PLAINTIFF
24 DISCUSS STEALING ANYTHING FROM PINEDA, AND NEITHER SAW
25 PLAINTIFF WITH A GUN.

26 35. AFTER PLAINTIFF AND SUSPECT HERRERA LEFT, SUSPECTS VARGAS,
27 PENIX AND PINEDA CONTINUED TO SIT IN THE ROOM, TALKING
28 AND WATCHING PORNOGRAPHY.

1 36. SUSPECT PENIX LEFT THE ROOM, BUT RETURNED ABOUT FIVE MINUTES
2 LATER, TELLING SUSPECT VARGAS THAT HIS CALL TO PLAINTIFF HAD GONE
3 TO VOICE MAIL

4 37. SUSPECT SAT ON ONE OF THE TWO BEDS OF THE ROOM, WHILE
5 PINEDA WAS MASTURBATING ON THE OTHER BED, AND TOLD SUS-
6 PECT VARGAS THAT HE HAD PINEDA'S PERSONAL IDENTIFICATION
7 NUMBER (PIN)

8 38. SUSPECT VARGAS WENT TO THE RESTROOM AND, WHEN SHE CAME
9 OUT, SHE SAW SUSPECT PENIX STANDING BY THE RESTROOM DOOR
10 WITH A GUN IN HIS HAND.

11 39. SUSPECT PENIX TOLD SUSPECT VARGAS THAT HE WAS GOING
12 TO COME UP OFF PINEDA, WHO COULD NOT SEE HIM FROM HIS
13 VANTAGE POINT, WHICH SUSPECT VARGAS INTERPRETED AS
14 INDICATING THAT SUSPECT PENIX WAS GOING TO ROB HIM.

15 40. SUSPECT PENIX WALKED OVER TO PINEDA, WHO WAS LYING
16 IN BED, POINTED THE GUN, AND TOLD VICTIM PINEDA TO TURN
17 OVER ON HIS STOMACH.

18 41. VICTIM PINEDA PUT HIS HANDS UP, BUT CONTINUED TO LAY
19 ON THE BED, SUSPECT VARGAS TOLD VICTIM, IN SPANISH, TO
20 CALM DOWN AND TURN OVER;

21 42. HOWEVER, VICTIM PINEDA WALKED OFF THE BED, TOWARD
22 SUSPECT PENIX, WHO WAS INITIALLY APPROXIMATELY SEVEN FEET
23 AWAY. AS HE DID, SUSPECT PENIX BEGAN WALKING BACKWARDS,
24 TOWARDS THE DOOR OF THE MOTEL ROOM, AND TOLD VICTIM PIN-
25 EDA TO GET BACK.

26 43. AS SUSPECT PENIX GOT TO THE DOOR, VICTIM PINEDA WALKED
27 UP TO HIM, REACHED TOWARD SUSPECT PENIX, AND PULLED THE GUN.

28 44. AS VICTIM PINEDA, DID, THE GUN WENT OFF, AND SUSPECT

1 VARGAS SAW BLOOD COMING OUT OF PINEDA'S BACK.

2 45. ACCORDING TO THE CORONER'S OFFICE, VICTIM PINEDA DIED OF A
3 GUN SHOT WOUND TO THE CHEST, WHICH ENTERED AT THE LEFT
4 NIPPLE AND EXITED THROUGH THE RIGHT LOWER BACK, PASSING
5 THROUGH THE LEFT AND RIGHT LUNGS, AND THROUGH THE HEART.

6 46. DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE AND GONZALES,
7 FAILED TO PROPERLY INVESTIGATE THE MURDER AND ATTEMPTED
8 ROBBERY OF VICTIM PINEDA; PRIOR TO CRIMINAL CHARGES AGAIN-
9 ST PLAINTIFF.

10 47. UPON INFORMATION AND BELIEF, DEFENDANTS ALEJO, DELGADO-
11 DRAMAS, HARE AND GONZALES KNEW THAT, PLAINTIFF WAS INN-
12 OCENT BY VIRTUE OF SUSPECT PENIX'S STATEMENTS TO POLICE
13 AND PHYSICAL EVIDENCE LENDING TO A LEGAL FACT THAT, A
14 PERSON OTHER THAN PLAINTIFF WAS RESPONSIBLE FOR THE MURDER
15 AND ATTEMPTED ROBBERY

16 48. DEFENDANTS ALEJO, DELGADO-DRAMAS, FAILED TO INVEST-
17 IGATE STATE'S FORENSIC EVIDENCE, AND OTHER TRACE AMOUNTS
18 OF PHYSICAL EVIDENCE AT THE CRIME SCENE WHICH RESULTED
19 IN A FALSE PROSECUTION AGAINST PLAINTIFF.

20 49. UPON INFORMATION AND BELIEF, DEFENDANTS ALEJO, DELGADO-
21 DRAMAS, HARE AND GONZALES KNEW THAT, AFTER THE SHOOT-
22 ING, SUSPECTS PENIX AND VARGAS LEFT THE MOTEL ROOM, AND
23 RAN TOWARD AN "AM/PM" CONVENIENCE STORE.

24 50. ON THE WAY, SUSPECT PENIX TOOK A CAST OFF OF HIS ARM,
25 AND THREW IT IN FRONT OF A BUILDING.

26 51. FURTHER DOWN, THEY MET SUSPECT HERRERA, WHO HAD LEFT
27 THE SKY VIEW MOTEL AT WHICH PLAINTIFF HAD BEEN ARRESTED.

28 52. SUSPECT VARGAS TOLD SUSPECT HERRERA THAT, SUSPECT PENIX,

1 ALLEGEDLY SHOT VICTIM PINEDA IN THE MOTEL ROOM, WHEREUPON
2 SUSPECT PENIX LEFT AND BEGAN WALKING DOWN PALMETTO.

3 53. SUSPECT PENIX ALLEGEDLY CALLED SUSPECT VARGAS, WHO THEN
4 ASKED SUSPECT HERRERA TO RETRIEVE A GUN IN FRONT OF THE
5 BUSHES - OF THE LOCAL KAISER PERMANENTE BUT SUSPECT HERR-
6 ERA REFUSED.

7 54. SUSPECT PENIX WAS LATER SEEN NEXT TO A LARGE TRASH CAN
8 OR BARREL, WHICH WAS ON FIRE.

9 55. ACCORDING TO POLICE, JEROME MALVEAUX, WHO AS NOTED
10 ABOVE RESIDED WITH PLAINTIFF, TOLD THEM THAT SUSPECT PENIX HAD
11 HAD CUT OFF HIS CAST AND THROWN A JACKET AND SOME OTHER
12 ITEMS IN THE CAN OR BARREL, THEN SET THEM ON FIRE. THERE-
13 AFTER, POLICE WENT TO THE AREA, AND LOCATED A BURNT CAST
14 IN THE BARREL.

15 56. FOLLOWING HIS ARREST, AND THE WAIVER OF HIS MIRANDA
16 RIGHTS, SUSPECT PENIX WAS INTERVIEWED BY POLICE.

17 57. DURING THAT INTERVIEW, SUSPECT PENIX ADMITTED HAVING

18 AND LATER DISPOSING OF THE GUN, BUT STATED THAT IT WAS
19 ALREADY THERE WHEN HE AND PLAINTIFF ARRIVED,

20 58. HOWEVER, SUSPECT PENIX, INITIALLY DENIED SHOOTING OR
21 ATTEMPTING TO ROB VICTIM PINEDA, AND STATED THAT HE INS-
22 TEAD HEARD A SHOT WHILE HE WAS IN THE BATHROOM, AND DID
23 NOT KNOW HOW TO FIRE THE GUN.

24 59. LATER, SUSPECT PENIX, STATED THAT VICTIM PINEDA, GOT
25 ANGRY AT HIM WHEN PENIX REFUSED TO GIVE VICTIM PINEDA
26 MONEY, THAT PINEDA WENT FOR THE GUN AND LUNGED AT SUSPECT
27 PENIX, AND WHILE THEY WERE FIGHTING OVER THE GUN, IT WENT
28 OFF.

60. SUSPECT PENIX ALSO STATED THAT, SUSPECT HERRERA TOLD HIM THAT PLAINTIFF HAD BEEN ARRESTED FOR CARJACKING OR VEHICLE THEFT, AND THAT PLAINTIFF WAS NOT PRESENT DURING THE SHOOTING.

61. AT ALL TIMES RELEVANT MENTIONED, DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE AND GONZALES, KNEW THAT PLAINTIFF HAD ALREADY LEFT THE ROOM, AND WAS NOT PRESENT WHEN THE MURDER OR ATTEMPTED ROBBERY OCCURED. THIS CONSTITUTES A MALICIOUS PROSECUTION AND FALSE ARREST, WHEN THE PROSECUTOR IS NO LONGER INTERESTED IN JUSTICE.

62. UPON INFORMATION AND BELIEF, DEFENDANT ALEJO, ACTED WITH MALICIOUSNESS, VINDICTIVENESS, AND IN FASHION WHICH DEPRIVED PLAINTIFF OF HIS EIGHTH AMENDMENT RIGHTS, NOT TO BE CHARGED WITH A MURDER AND ATTEMPTED ROBBERY THAT, PLAINTIFF CLEARLY WAS NOT INVOLVED WITH SAID CRIME.

63. DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE, AND GONZALES, DID CONSPIRE TO DENY PLAINTIFF OF HIS DUE PROCESS CLAUSE OF THE FIRST, FOURTH, EIGHTH AND FOURTEENTH AMENDMENTS.

64. AT ALL TIMES RELEVANT MENTIONED, DEFENDANT ALEJO, AND DOES, PROSECUTORS ARRESTED PLAINTIFF FOR MURDER AND ATTEMPTED ROBBERY WITHOUT DUE PROCESS OF LAW

65. ALTHOUGH AN ISOLATED INCIDENT, DEFENDANT ALEJO, AND DOES, PROSECUTION CONSTITUTED OFFICIAL MUNICIPAL POLICY FOR PURPOSES OF 42 U.S.C. 1983 AND 1985 BECAUSE DEFENDANT ALEJO, ACTED UNDER DELEGATED FINAL POLICY MAKING AUTHORITY

66. DEFENDANTS DOES AND DEFENDANT ALEJO, HAD DELEGATED DISCRETION, RATHER THAN DELEGATED AUTHORITY, BECAUSE HER DECISION TO PROSECUTE THE CASE WAS CONSTRAINED BY POLICIES

1 NOT OF HER OWN MAKING AND WAS SUBJECT TO REVIEW BY SUPERVISORS.
2 67. AT ALL TIMES RELEVANT MENTIONED, DEFENDANTS ALEJO, DOES,
3 DELGADO-DRAMAS, HARE AND GONZALES, DID AN ABSOLUTELY PATH-
4 ETIC AND SUPERFICIAL JOB INVESTIGATIVE SAID MURDER AND ATTEMPTED
5 ROBBERY, WHICH RESULTED IN PLAINTIFF'S FALSE ARREST WITHOUT DUE
6 PROCESS OF LAW

7 68. DOES, WERE SUPERVISORS-DISTRICT ATTORNEY'S OFFICE PERSONNEL
8 WHO FAILED TO PROVIDE PROPER SUPERVISION OVER DEFENDANT ALEJO,
9 WHICH RESULTED IN PLAINTIFF'S FALSE ARREST FOR MURDER, AND ATT-
10 EMPTED ROBBERY OF VICTIM PINEDA.

11 69. AS A DIRECT AND PROXIMATE RESULT OF DEFENDANTS ALEJO, DOES,
12 DELGADO-DRAMAS, HARE, AND GONZALES, FALSE ARREST AND CRIMINAL
13 CORRUPTION AGAINST PLAINTIFF, PLAINTIFF CONTINUE TO PERMANENT
14 AND PSYCHOLOGICAL INJURY FOR FEAR OF GETTING 27 YEARS TO LIFE,
15 PLUS ADDITIONAL YEARS FOR A PRIOR.

16 70. PLAINTIFF LONG HAS BEEN PERMANENTLY INJURED BY DEFENDANTS,
17 ADMINISTERING SUMMARY CRUEL AND UNUSUAL PUNISHMENT ON THE
18 PLAINTIFF.

19 71. THE CRIMINAL TRIAL ACTION WAS HELD FROM APRIL 30TH TO
20 MAY 20, 2013.

21 72. ON MAY 22, 2013 THE JURY ACQUITTED PLAINTIFF OF THE
22 MURDER AND ATTEMPTED ROBBERY.

FIRST CAUSE OF ACTION
AGAINST ALL THE DEFENDANTS
FOR FALSE ARREST FOR MURDER
AND ATTEMPTED ROBBERY

73. PLAINTIFF RE-ALLEGES AND INCORPORATE HEREIN BY REFERENCE EACH AND EVERY ALLEGATION OF PARAGRAPHS (1) THROUGH (72).

74. DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE AND GONZALES, CONSPIRED TO SUBJECT PLAINTIFF TO A FALSE ARREST FOR MURDER AND ATTEMPTED ROBBERY OF VICTIM PINEDA, CASE NO. FVA 1100219, WAS UNJUSTIFIED OR PERMITTED BY LAW, VIOLATED PLAINTIFF RIGHTS UNDER THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION IN THAT IT CONSTITUTED CRUEL AND UNUSUAL PUNISHMENT.

SECOND CAUSE OF ACTION
AGAINST ALL DEFENDANTS
FOR FABRICATED EVIDENCE CLAIM

75. PLAINTIFF RE-ALLEGES AND INCORPORATES BY REFERENCE ALL ALLEGATIONS CONTAINED IN ALL PREVIOUS PARAGRAPHS

76. DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE, AND GONZALES, ARE STATE ACTORS WHO FABRICATED EVIDENCE DURING A MURDER AND ROBBERY INVESTIGATION.

77. DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE, AND GONZALES, CONTINUED THEIR MURDER AND ATTEMPTED ROBBERY CHARGES AGAINST PLAINTIFF, DESPITE THE FACT THAT, THE EYE-WITNESSES, TOLD THE POLICE THAT, PLAINTIFF WAS NOT INVOLVE WHATSOEVER

78. DEFENDANTS ALEJO, DELGADO-DRAMAS, HARE AND GONZALES,
DID USE INVESTIGATIVE TECHNIQUES THAT WERE SO COERCIVE
AND ABUSIVE THAT THEY KNEW OR SHOULD HAVE KNOWN
THAT THOSE TECHNIQUES WOULD YIELD FALSE INFORMATION,
WHICH VIOLATED PLAINTIFF'S FOURTH, EIGHTH, AND FOURTEENTH
AMENDMENT.

THIRD CAUSE OF ACTION
AGAINST DOES - SUPERVISORS
DISTRICT ATTORNEY'S OFFICE AND POLICE

79. PLAINTIFF RE-ALLEGES AND INCORPORATES BY REFERENCE ALL
ALLEGATIONS CONTAINED IN ALL PREVIOUS PARAGRAPHS.

80. DEFENDANTS - DOES, AND EACH OF THEM, WERE EITHER RECKLESSLY
CALLOUS OR INDIFFERENT TO PLAINTIFF'S CONSTITUTIONAL RIGHTS,
KNEW ABOUT THE VIOLATIONS AND FAILED TO ACT TO PREVENT
THEM, PERSONALLY INVOLVED IN THE VIOLATIONS FAILED TO TRAIN,
SUPERVISE OR CONTROL SUBORDINATES, OR ENACTED POLICIES WHICH
WERE THE MOVING FORCE FOR THE CONSTITUTIONAL VIOLATIONS
AS STATED ABOVE IN THIS LAWSUIT.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS
OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE
AND CORRECT.

DATE: 2/19/2015

RESPECTFULLY SUBMITTED

BY: David Long

DAVID L. LONG
IN-PRO-PER

Date/Time: 2/23/2015 8:31:18 AM

CDCR

Verified: _____

Institution: COR

Inmate Statement Report

Start Date:	8/23/2014	Revalidation Cycle:	All
End Date:	2/23/2015	Housing Unit:	All
Inmate/Group#:	AR2325		



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.

ATTEST: 02/23/2015

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY *D. Jones* Asst. Clerk II
TRUST OFFICE

Date/Time: 2/23/2015 8:31:18 AM

CDCR

Verified: _____

Institution: COR

Inmate Statement Report

CDCR#	Inmate/Group Name	Institution	Unit	Cell/Bed
AR2325	LONG, DAVID	COR	04BB2LC1	041001

Current Available Balance: \$0.00



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.

ATTEST: 02/23/2015
CALIFORNIA DEPARTMENT OF CORRECTIONS

BY *[Signature]* *[Signature]*
TRUST OFFICE

Transaction List

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
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No information was found for the given criteria.

Encumbrance List

Encumbrance Type	Transaction Date	Amount
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No information was found for the given criteria.

Obligation List

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
COPY CHARGES		\$0.40	\$0.00	\$0.40
COPY CHARGES	12/10/13 COPY	\$12.90	\$0.00	\$12.90

Restitution List

Restitution	Court Case#	Status	Original Owed Balance	Interest Accrued	Sum of Tx for Date Range for Oblg	Current Balance
RESTITUTION FINE	FVA1100219	Active	\$280.00	\$0.00	\$0.00	\$280.00

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

WHEREFORE, PLAINTIFF PRAYS FOR THE FOLLOWING RELIEF AGAINST ALL DEFENDANTS, BOTH JOINTLY AND SEPARATELY:

(A) JUDGEMENT AGAINST DEFENDANTS FOR ACTUAL DAMAGES IN AN AMOUNT OF (2) MILLION DOLLARS TO BE PROVEN AT TRIAL.

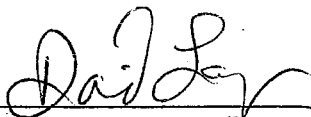
(B) JUDGEMENT AGAINST DEFENDANTS FOR PUNITIVE DAMAGES IN THE AMOUNT OF \$250,000 TO BE PROVE AT TRIAL

(C) JUDGEMENT AGAINST DEFENDANTS FOR THE COST OF THIS CIVIL ACTION, PLUS REASONABLE ATTORNEY'S FEE'S, AS PROVIDE BY 42 U.S.C. §§1988

(D) SUCH OTHER AND FURTHER RELIEF TO WHICH PLAINTIFF MAY BE ENTITLED

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

2/19/2015
(Date)



(Signature of Plaintiff)

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIADAVID LONG

PLAINTIFF(S),

NORMA ALEJO ET AL

DEFENDANT(S).

CASE NUMBER

PROOF OF SERVICE - ACKNOWLEDGMENT
OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of KING, State of California, and not a party to the above-entitled cause. On 2/19, 20 15, I served a true copy of

by personally delivering it to the person (s) indicated below in the manner as provided in FRCivP 5(b); by depositing it in the United States Mail in a sealed envelope with the postage thereon fully prepaid to the following: (list names and addresses for person(s) served. Attach additional pages if necessary.)

Place of Mailing: C.S.P. - CORCORANExecuted on 2/19, 20 15 at CORCORAN, California

Please check one of these boxes if service is made by mail:

- ☐ I hereby certify that I am a member of the Bar of the United States District Court, Central District of California.
- ☐ I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.
- ☒ I hereby certify under the penalty of perjury that the foregoing is true and correct.

David Long
Signature of Person Making Service

ACKNOWLEDGEMENT OF SERVICE

I, _____, received a true copy of the within document on _____.

Signature

Party Served